

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

James T. Burke,	:
Plaintiff,	:
	:
v.	: File No. 2:09 CV 154
	:
Andrew Pallito,	:
State of Vermont,	:
Defendants.	:

ORDER

The Report and Recommendation of the United States Magistrate Judge was filed February 26, 2010. After careful review of the file and the Magistrate Judge's Report and Recommendation, no objections having been filed by any party, this Court ADOPTS the Magistrate Judge's recommendations in full for the reasons stated in the Report.

The defendants' motions to dismiss (Docs. 8 and 11) are GRANTED. It is further ordered that plaintiff be allowed 30 days leave to amend his complaint regarding the deprivation of outside recreational opportunities. The motion to amend must comport with Local Rules of Practice 15 and should be filed within 30 days of the date of this Order. Failure to file a timely amended complaint will result in the dismissal of the case.

Dated at Burlington, in the District of Vermont, this 23rd day of March, 2010.

/s/ William K. Sessions III  
William K. Sessions III  
Chief Judge

